



State of Louisiana

Department of Environmental Quality



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Environmental News

DEQ reaches agreement on two settlements

(Baton Rouge) – The Louisiana Department of Environmental Quality recently reached two significant settlement agreements for alleged violations. One agreement was for \$300,000 with Plantation Pipe Line Company, 2200 Blount Road in Baton Rouge. The other was for \$20,000 with Historic Restoration Inc., concerning a construction site located at the St. Mary and St. Thomas intersection in the lower Garden District of New Orleans.

Plantation Pipe Line operates a breakout tank farm and is a carrier of refined petroleum products. The company operates 3,100 miles of pipeline that transports refined petroleum products throughout the Southeastern U.S. The facility uses breakout tanks for the coordination of the petroleum deliveries.

Plantation Pipe Line was recently issued a compliance order and a notice of potential penalty for several alleged permit violations, failure to report data and other minor violations.

Based on self-reporting by Plantation Pipe Line, DEQ found that the company was operating with emissions above the major source threshold for Louisiana toxic air pollutants and the company failed to accurately estimate VOC emissions, a possible precursor to the formation of ozone.

“As part of our continuing efforts to improve air quality in the Baton Rouge area, it is extremely important that facilities accurately account for emissions of highly reactive hydrocarbons and VOCs so that we may better understand potential sources that may contribute to the area’s high ozone levels,” said R. Bruce Hammatt, DEQ Assistant Secretary of the Office of Environmental Compliance.

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Historic Restoration Inc. was the developer of a multi-purpose site in the central part of New Orleans at the St. Thomas Redevelopment site. After receiving complaints from citizens, DEQ inspectors went to the site in July and found what they believed were violations with some portions of the Clean Water Act, Hammatt said.

DEQ inspectors found silt running off of the construction site during heavy rains and entering nearby storm drains. DEQ found that the developer had failed to implement and maintain proper measures to control the runoff and was not properly inspecting the site. HRI also started demolition activities and clearing land before it received a storm water general permit in July 2002. DEQ issued a compliance order and notice of penalty on Aug. 29.

DEQ inspected the site again in October and found that the developer still had not implemented the proper control measures in that some of the silt fences placed on site by the developer were not fully maintained or positioned. On Oct. 20, DEQ issued HRI a penalty for failing to come into compliance with their permit and the Clean Water Act. On the same day, a DEQ inspection found that HRI was in full compliance with its permit and had addressed the areas of concern.

The construction storm water regulations were developed in two phases: construction sites greater than five acres, and construction sites between one and five acres. Sites greater than five acres are required to submit a notice of intent to be covered under the permit at least 48 hours prior to beginning any construction activities on the site, including initial land clearing. These sites are also required to prepare and implement a pollution prevention plan, which outlines the erosion control measures taken at the site to minimize erosion and runoff from the site. Sites between one and five acres are considered “automatically” covered under the regulations once any construction activities, such as land clearing, are started on the site. Sites between one and five acres are also required to develop and implement a pollution prevention plan.

The cash penalties will go to the Louisiana Hazardous Waste Cleanup Fund.